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**BY FEDERAL EXPRESS**

Honorable Deborah A. Batts  
United States District Courthouse  
Southern District of New York  
500 Pearl Street  
New York, N.Y. 10007-1312

Re: Kirkland v. Manatt, 08 CV 3371 (DAB)  
Request For Adjournment Of Motion Schedule

Your Honor:

I am the attorney for the Plaintiff. I write to request an adjournment of the date for serving Plaintiff's papers in opposition to Defendants' motions to compel arbitration and stay or dismiss this lawsuit from today, August 1, 2008, until August 5, 2008. Defendants' counsel have consented to this request and the parties jointly request that the time for Defendants' reply papers be adjourned from August 18, 2008 until August 22, 2008.<sup>1</sup>

I apologize for belatedly making Plaintiff's fourth request for an adjournment on the day my motion papers are due to be served. I had planned to serve and file Plaintiff's papers late tonight but realized that I would not finish in time to serve and file by ECF before midnight.

I have longstanding plans to go out of town this weekend for a reunion with friends I attended college with over 40 years ago and I was not certain I could complete Plaintiff's papers over the weekend.

Accordingly, I respectfully ask that the Court grant this request to extend the time for Plaintiff to file papers opposing Defendants' motions to Tuesday, August 5, 2008 with Defendants' reply papers due on Friday, August 22, 2008.

GRANTED  
/DAB/  
NO FURTHER  
Extension

Respectfully yours,



Ronald B. McGuire

cc: Pamela Quigley Devata, Esq. (by fax)  
David S. Warner, Esq. (by fax)

**SO ORDERED**


DEBORAH A. BATTS

UNITED STATES DISTRICT JUDGE

<sup>1</sup> This request has been consented to by David S. Warner, counsel for Defendant Manatt, Phelps and Phillips, LLP and Pamela Quigley Devata, counsel for Defendant Kroll Background America, Inc. d/b/a/ InfoLink Screening Services, Inc. 5 AUG 08